

AUG 21 2006

Docket No.: NAGACO.011CP2DV

August 21, 2006

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Please Direct All Correspondence to Customer Number 20995

## NOTICE OF APPEAL

FROM THE EXAMINER TO THE BOARD OF PATENT APPEALS AND INTERFERENCES

Applicant : Jorma Virtanen  
 App. No : 09/911,253  
 Filed : July 23, 2001  
 For : OPTICAL DISK-BASED ASSAY  
 DEVICES AND METHODS  
 Examiner : Nelson C. Yang  
 Art Unit : 1641


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 Gregory A. Hermanson, Reg. No. 53,018

## Mail Stop AF

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the  
 decision of the Examiner dated February 28, 2006 finally rejecting Claims 34-39, 41, 43 and 81-  
 85.

The present application qualifies for Small Entity Status under 37 CFR 1.27.

| FEE CALCULATION   |             |              |               |       |
|-------------------|-------------|--------------|---------------|-------|
| FEE TYPE          |             | FEE CODE     | CALCULATION   | TOTAL |
| Notice of Appeal  | 41.20(b)(1) | 2401 (\$250) |               | \$250 |
| 3 Month Extension | 1.17(a)(3)  | 2253 (\$510) |               | \$510 |
|                   |             |              | TOTAL FEE DUE | \$760 |

(X) An extension of time is hereby requested by payment of the appropriate fee  
 indicated above.

(X) Please charge \$760 to Deposit Account No. 11-1410.

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01 FC:2253  
02 FC:2401510.00 DA  
250.00 DA


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Please charge any additional fees, including any fees for additional extension of time, or credit overpayment to Deposit Account No. 11-1410.

Dated: August 21, 2006

  
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Registration No. 53,018  
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2854686/cfn/082106